

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHWESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 3:14-cr-05045-SRB
)	
JOHNNY EUGENE THOMAS,)	
)	
Defendant.)	

ORDER

Before the Court is Magistrate Judge Rush's Report and Recommendation recommending that Defendant's Motion to Dismiss the Indictment and Defendant's Motion to Suppress Evidence be denied. (Doc. #55). Defendant objects to the Report and Recommendation in filing Defendant's Exceptions to the Report and Recommendation to Deny His Motion to Suppress and Motion to Dismiss. (Doc. #58). By his objection, Defendant argues his Motion to Dismiss Indictment should be granted due to a violation of the constitutionally mandated separation of powers. Defendant further argues his Motion to Suppress should be granted because the probation officers did not have reasonable suspicion to conduct a search and also did not conduct the search in a reasonable manner.

After an independent and careful review of the record, the applicable law, and the parties' arguments, the Court OVERRULES Defendant's objections, (Doc. #58), and ADOPTS Judge Rush's Report and Recommendation, (Doc. #55). Defendant's Motion to Dismiss Indictment (Doc. #22) and Defendant's Motion to Suppress (Doc. #23) are hereby DENIED.

IT IS SO ORDERED.

DATED: January 19, 2016

/s/ Stephen R. Bough
JUDGE STEPHEN R. BOUGH
UNITED STATES DISTRICT COURT